

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 8717 of 2015 (L)

PETITIONER(S) :

**DESAI HOMES,
DD VASTRA MAHAL, MARKET ROAD, COCHIN-682 011,
REPRESENTED BY V.R.DESAI, MG.PARTNER.**

**BY ADVS.SRI.C.K.KARUNAKARAN
SRI.JOPHY POTHEEN KANDANKARY**

RESPONDENT(S) :

- 1. KERALA STATE ELECTRICITY BOARD LTD.,
VYDHUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM-695 004.**
- 2. ASSISTANT ENGINEER,
ELECTRICAL SECTION
KERALA STATE ELECTRICITY BOARD LTD., THRIKKAKARA.P.O,
ERNAKULAM DISTRICT-682 021.**

BY ADV. SRI.JAICE JACOB, S.C

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-03-2015, ALONG WITH W.P.(C).NO.8731 OF 2015 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE LETTER DATED 07.02.2014.**
- EXT.P2: TRUE COPY OF KSERC ORDER DATED 23.05.2011 IN PETITION T.P-87/2011.**
- EXT.P3: TRUE COPY OF KSEB LTD CIRCULAR DATED 13.07.2011.**
- EXT.P4: TRUE COPY OF THE KSEB LTD LETTER DATED 04.12.2014.**
- EXT.P5: TRUE COPY OF PETITIONER'S LETTER DATED 24.12.2015.**
- EXT.P6: TRUE COPY OF KSERC ORDER DATED 22.01.2015 IN O.P.NO22 OF 2011.**
- EXT.P7: TRUE COPY OF KSEB LTD LETTER DATED 04.03.2015.**
- EXT.P8: TRUE COPY OF PETITIONER'S LETTER DATED 12.03.2015.**
- EXT.P9: TRUE COPY OF ORDER DATED 17.03.2015 PASSED IN I.A.NO.4010 OF 2015 IN W.P.(C).NO.2292 OF 2012.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

V. CHITAMBARESH, J

**W.P.(C). Nos. 8717, 8731, 8732,
8740, 8792, 8820, 8881 &
9028 of 2015**

Dated this the 24th day of March, 2015

JUDGMENT

The petitioners point out that the demand evidenced by Ext. P7 letter is not in consonance with Ext. P6 order of the Kerala State Electricity Regulatory Commission. The respondents contend that they intend to challenge Ext. P6 order appropriately. Ext. P6 order has to be followed unless and until it is reversed in challenge thereto.

2. It is clarified that any demand can only be in tune with Ext. P6 order unless the same is varied or annulled. Whether Ext. P6 order militates against the judgment in W.A. No. 900/2013 and other cases does not fall for consideration in these writ petitions.

3. The petitioners have an alternate remedy to challenge Ext. P7 order. They can approach the Consumer Grievances Redressal Forum under Regulation

130(8) of the Kerala Electricity Supply Code, 2014. Any motion in that regard within three weeks from today shall be dealt with expeditiously. The electricity connection shall not be disconnected pending final orders by the Consumer Grievances Redressal Forum.

The writ petitions are disposed of.

**V. CHITAMBARESH
JUDGE**

DCS